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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,802	04/05/2004	Charles E. Henry	DAM 515-99B	9082

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US ARMY SOLDIER AND BIOLOGICAL CHEMICAL COMMAND
OFFICE OF THE CHIEF COUNSEL/IP TEAM (BLDG E4435)
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EXAMINER

LARKIN, DANIEL SEAN

ART UNIT PAPER NUMBER

2856

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/825,802

Applicant(s)

HENRY ET AL.

Examiner

Daniel S. Larkin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Acknowledgement is made of Applicants' preliminary amendment, filed 05 April 2004, canceling claims 1-28.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

Reference numeral -- 36 -- does not appear within Figures 5, 6, and 7, as suggested by the disclosure on page 7, line 22.

Reference numeral -- 48 -- does not appear within the drawing figures, as suggested by the disclosure on page 9, lines 11 and 12.

Reference numeral -- 131 -- does not appear within Figure 11, as suggested by the disclosure on page 12, line 5.

Reference numeral -- 173 -- does not appear within the drawing figures, as suggested by the disclosure on page 14, line 20.

Reference numeral -- 184 -- does not appear within the drawing figures as suggested by the disclosure on page 17, lines 19 and 22.

Reference numeral -- 23 -- does not appear within the drawing figures as suggested by the disclosure on page 20, line 6.

Reference numeral -- 165 -- does not appear within the drawing figures, as suggested by the disclosure on page 20, line 23.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

Reference numeral "12", as shown in Figure 4, does not appear within the written disclosure.

Reference numeral "14", as shown in Figure 4, does not appear within the written disclosure.

Reference numeral "43", as shown in Figure 6, does not appear within the written disclosure.

Reference numeral "54", as shown in Figures 4 and 8, does not appear within the written disclosure.

Reference numeral "57", as shown in Figure 8, does not appear within the written disclosure.

Reference numerals "142" and "144", as shown in Figure 14, do not appear within the written disclosure.

Reference numerals "186" and "188", as shown in Figure 15, do not appear within the written disclosure.

Reference numerals "161", as shown in Figure 16, does not appear within the written disclosure.

Reference numeral "164", as shown in Figures 10 and 16, does not appear within the written disclosure.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "16" has been used to designate both a "base section", as shown in Figures 1, 2, 3, and a "cover", as shown in Figure 4.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "17" has been used to designate both a "base section", as shown in Figure 4, and a "cover", as shown in Figures 1, 2, and 3.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "55" and "57" have both been used to designate a "latch device", as shown in Figure 8.

6. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the

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drawing figures. If the changes are not accepted by the examiner, the applicants will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

7. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicants' cooperation is requested in correcting any errors of which applicants may become aware in the specification.

8. The disclosure is objected to because of the following informalities:

Page 1, line 13: The terms "glove" and "boxes" should be corrected to read -- gloveboxes --.

Page 6, lines 12 and 14: The term "figure" should be corrected to read -- Figure --.

Page 7, lines 5 and 11: The term "figure" should be corrected to read -- Figure --.

Page 7, lines 14 and 21: The term "figures" should be corrected to read -- Figures --.

Page 8, lines 5 and 10: The term "figure" should be corrected to read -- Figure --.

Page 9, line 18: Reference numeral -- 57 -- should be inserted after reference numeral "55".

Page 9, line 19: The term "filters" should be corrected to read -- filter --.

Page 9, line 20: The term "figure" should be corrected to read -- Figure --.

Page 9, lines 21 and 22: The terms "shut" and "off" should be corrected to read -- shut-off --.

Page 10, lines 3 and 6: The terms "shut" and "off" should be corrected to read -- shut-off --.

Page 10, line 8: Reference numeral "86" should be corrected to read -- 80 --.

Page 10, line 14: The term "figures" should be corrected to read -- Figures --.

Page 10, line 22: The term "figure" should be corrected to read -- Figure --.

Page 11, lines 1, 11, 18, and 23: The term "figures" should be corrected to read -- Figures --.

Page 11, lines 13: The terms "shut" and "off" should be corrected to read -- shut-off --.

Page 11, line 14: The term -- as -- should be inserted after the term "such".

Page 12, line 4: The term "figures" should be corrected to read -- Figure --.

Page 12, line 5: The term "figure" should be corrected to read -- Figure --.

Page 12, line 8: The term "figures" should be corrected to read -- Figures --.

Page 13, line 19: The term "figures" should be corrected to read -- Figures --.

Page 13, line 23: The term "figure" should be corrected to read -- Figure --.

Page 14, line 6: The term "figure" should be corrected to read -- Figure --.

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Page 14, line 22: The term "Carbon" should be corrected to read -- carbon --.

Page 15, line 1: The term "figure" should be corrected to read -- Figure --.

Page 16, line 1: The term "figure" should be corrected to read -- Figure --.

Page 16, line 8: The conduit (11) contains valve (198)? Figure 20 appears to show that valve (198) is located within conduit (80).

Page 17, lines 8, 9, 11, 13, 19, and 22: The term "guage" should be corrected to read -- gauge --.

Page 17, line 11: The numeral "2" should be corrected to read -- two --.

Page 17, line 19: The numeral "5" should be corrected to read -- five --.

Page 17, line 23: The numeral "10" should be corrected to read -- ten --.

Page 18, line 16 and 17: The terms "Gas Chromatograph" and "Mass Selective or Flame Photometric Detector" should not be capitalized.

Page 19, lines 3, 5, and 7: The "hyphen between the terms "double" and "door" should be deleted.

Page 19, line 11: The term "figure" should be corrected to read -- Figure --.

Page 20, line 5: The numeral "2" should be corrected to read -- two --.

Page 20, line 8: The numeral "1" should be corrected to read -- one --.

Page 20, line 17: The terms "shut" and "off" should be corrected to read -- shut-off --. Appropriate correction is required.

Claim Objections

9. Claim 29 is objected to because of the following informalities:

Re claim 29, claim line 3: Applicants should consider inserting the phrase -- first and second -- prior to the term "sidewalls" in order to expressly recite that the glovebox contains two sidewalls with an unclaimed front and rear portion, rather than four sidewalls.

Re claim 29, claim lines 4 and 5: The phrase "the first sidewall" lacks antecedent basis.

Re claim 29, claim lines 5, 10, 16, 18, and 19: The term -- first -- should be inserted prior to the term "opening".

Re claim 29, claim line 14: The phrase "the second sidewall" lacks antecedent basis.

Re claim 29, claim lines 14 and 17: The term -- second -- should be inserted prior to the term "opening". Appropriate correction is required.

Allowable Subject Matter

10. The following is a statement of reasons for the indication of allowable subject matter:

Prior art was not relied upon to reject claim 29 because the prior art fails to teach and/or make obvious a method of storing a glovebox comprising the steps of disconnecting a first module covering a first opening of a first sidewall from the glovebox; inserting a second module means through the first opening into the glovebox

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for storing the second module means within the glovebox; moving the first module means to a storage position where a body portion of the first module means is located within the glovebox; and securing a flange of the first module means to the glovebox in combination with all of the remaining limitations of the claim.

The closest prior art, US 3,907,389 (Cox et al.), discloses the attachment of a plurality of modules/containers (43, 44) to openings (49) located in the sidewalls of a glovebox/enclosure (12). End plates (46) attached to the containers (43, 44) engage guide rails (52, 53) for connecting the containers to the sidewalls. The container (43, 44) allows material to be transferred into the enclosure (12). The reference discloses that the containers are removable from the enclosure; however, the reference is silent with respect to storage of the containers or the placement of any material, other than test material, within the interior of the enclosure (12).

11. Claim 29 is objected to, but would be allowable if the objections noted above by the examiner in paragraph 9 were corrected.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure.

The prior art to US 4,111,753 (Folsom et al.) discloses a controlled atmosphere apparatus and method of transferring specimens to same comprising a glovebox (14)

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and a transport unit (30) fixed to the glovebox () through the use of a flange member (24).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Larkin whose telephone number is 571-272-2198. The examiner can normally be reached on 8:00 AM - 5:00 PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on 571-272-2208. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Larkin
AU 2856
09 December 2004


DANIEL S. LARKIN
PRIMARY EXAMINER